

2 PROPERTY DESCRIPTION AND MANAGEMENT SETTING

2.1 GEOGRAPHICAL SETTING

The main unit of Antelope Valley Wildlife Area (AVWA) is located 20 miles northwest of Reno, Nevada, and 4 miles southwest of Loyalton in Sierra County, California (Exhibit 2-1). AVWA is in Township 21 North, Range 15 East, in Sections 2, 4, 22–24, 26–28, and 33–36 on the Antelope Valley, Sierraville, Loyalton, and Sardine Peak 15-minute USGS quadrangles. It is situated on the southern edge of the Sierra Valley at an elevation between 5,000 and 6,800 feet. Antelope Valley Creek is a tributary to the Feather River, a federally designated wild and scenic river. The Merry-Go-Round Unit is 6 miles northeast of Sierraville and lies completely to the east of State Route 49. It is found in Township 21 North, Range 15 East, in Sections 18–20, and 30 in the Antelope Valley 15-minute USGS quadrangle. It is located 2 miles northwest of the main Antelope Valley unit.

The Doe Canyon, Bear Valley Creek, and Badenaugh Units of Smithneck Creek Wildlife Area (SCWA) are located 2 miles south of Loyalton at an elevation between 5,200 and 6,000 feet. SCWA straddles Smithneck Creek, which drains into the Sierra Valley and then to the Feather River. The SCWA Units are in Township 21 North, Range 16 East, in Sections 29, 30, 32, and 33, M. D. B. & M. on the Loyalton 15-minute USGS quadrangle.

2.2 ADJACENT LAND USES

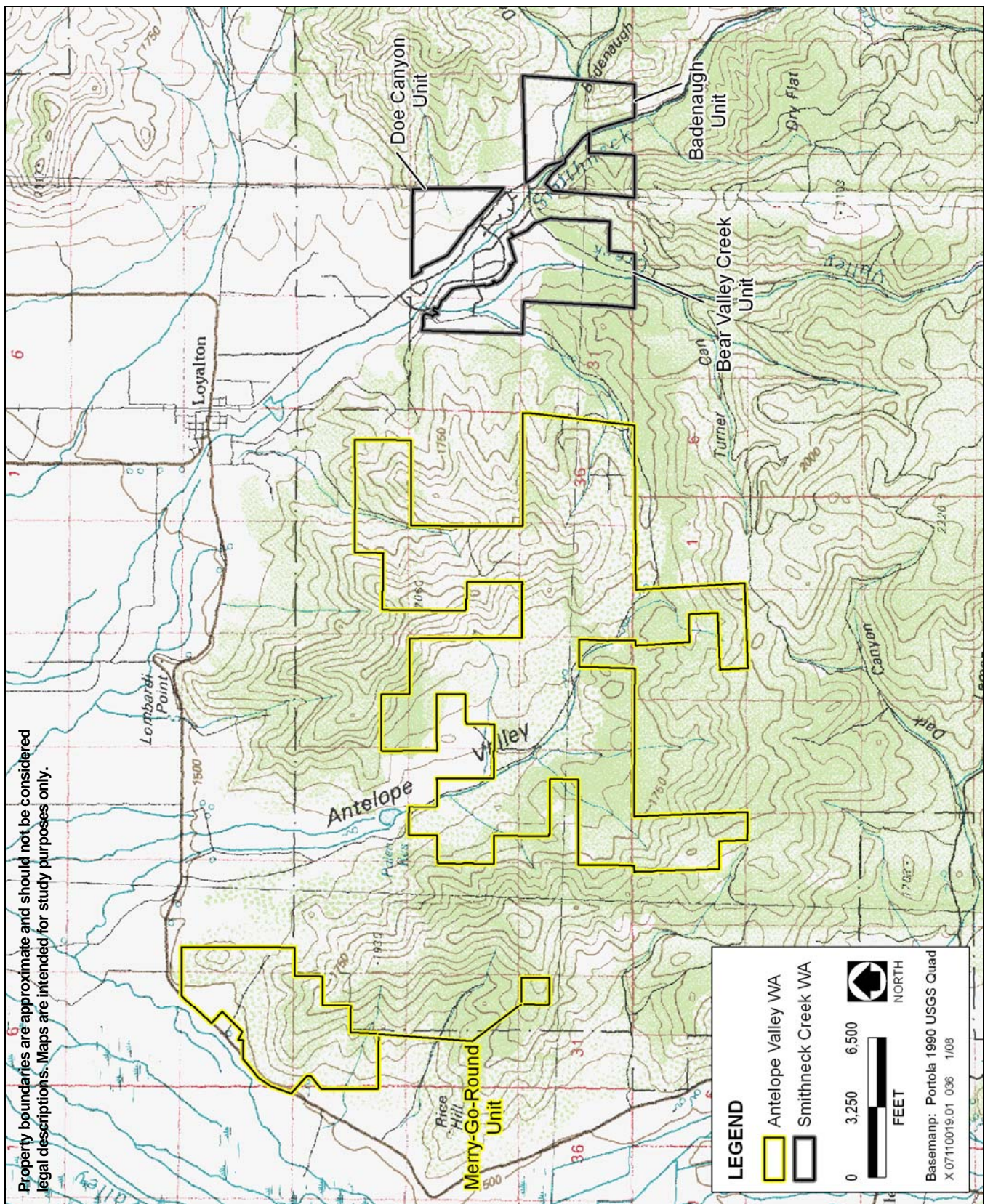
AVWA is almost entirely surrounded by USFS lands of the Tahoe National Forest. A coordinated resource management plan (CRMP) was developed in 1985 and signed by the Department, the U.S. Soil Conservation Service, USFS, and most of the private landowners in the Antelope Valley Creek drainage. This plan encompasses approximately 21,000 acres and identifies the deer and their winter range as key resources. This plan allows management activities to be conducted within the plan area regardless of land ownership. Under the CRMP some portions of AVWA, USFS, and private land have been subjected to controlled burns and planted with bitterbrush seedlings to improve the winter range capability for deer.

Antelope Valley has historically been used for livestock grazing, with the earliest documented use in 1922. Cattle grazed on the allotment from 1922 to 1930. Some cattle grazed this land from 1930 to 1960, but sheep primarily grazed here during that time. A few small-scale logging operations also occupied the area. The records indicate that overgrazing severely affected the area. Cattle grazing resumed in 1960 and has continued intermittently through the present.

SCWA surrounds 389 lots of the Sierra Brooks subdivision. Most of the outer boundary is shared with Tahoe National Forest and is mostly fenced. About a half-mile of property along the southern boundary is shared between SCWA and property owned by the Sierra Brooks Homeowners Association. A portion of the northern boundary is shared with property owned by Occidental Land Company and is largely fenced.

The property has been used historically as part of a cattle operation both as private land and as part of a USFS grazing allotment. When the SCWA property was owned by Occidental Land, Incorporated, grazing rights were leased to local operators in Loyalton until development of the Sierra Brooks subdivision property began. The adjacent federal land is grazed as part of a grazing allotment administered by the Sierraville Ranger District of the Tahoe National Forest. No legal livestock grazing occurs currently on SCWA.

The surrounding Tahoe National Forest lands support a number of recreational uses, some of which include hunting, bird watching, and hiking. The wildlife area is considered by sportsmen and the Department as a premier hunting area in California.



Source: Data compiled by EDAW in 2008.

Topography of Antelope Valley and Smithneck Creek Wildlife Areas

Exhibit 2-1

2.3 PROPERTY BOUNDARIES AND EASEMENTS

2.3.1 PROPERTY BOUNDARIES

Exhibit 2-2 depicts the boundaries of the approximately 5,700-acre Antelope Valley Wildlife Area and the 1,385-acre Smithneck Creek Wildlife Area. The legal property descriptions are included in the property deeds, which are attached as Appendix A.

The main Antelope Valley unit is accessible from County Road 855, Antelope Valley Road from SR 49, and Smithneck Creek Road (County Road S860) south of Loyalton. Several spur roads off the county road provide vehicular access to most of the property. The Merry-Go-Round Unit is accessible directly from SR 49. From SR 49, Smithneck Road provides primary access to SCWA and the Sierra Brooks subdivision. Bear Valley Creek Unit and Badenaugh Unit can be accessed by unimproved county-owned roads. Access to the Doe Canyon Unit is by foot over USFS land.

2.3.2 EASEMENTS AND RIGHTS-OF-WAY

Easements and rights-of-way are legally recorded documents that run with the deed of the property. They are, therefore, transferred with the property from owner to owner. Easements typically preserve the rights of an entity other than the landowner. Within AVWA and SCWA there are generally three different types of easements. The first type includes easements for infrastructure such as utilities, roadways, and pipelines. These easements exist for the purpose of maintaining, repairing, replacing, and installing roads, power lines, utility lines, and pipelines needed for regional public works. The second type of easement that exists in the wildlife areas is a water easement. The third is an easement held by the United States of America. A summary description of the easements within or across AVWA or SCWA are included in the title packets (Appendix C) and provided below. Acquiring complete easement documentation and creating a map depicting the easements has been identified as a “step-down action,” a term used by the Department to describe an activity that is currently beyond the scope of the LMP and will require additional effort following the preparation and adoption of the LMP.

HIGHWAY RIGHTS-OF-WAY

Two 100-foot-wide SR 49 rights-of-way exist on the Merry-Go-Round Unit. Rights-of-way Number 1 and Number 2 contain approximately 7.92 acres.

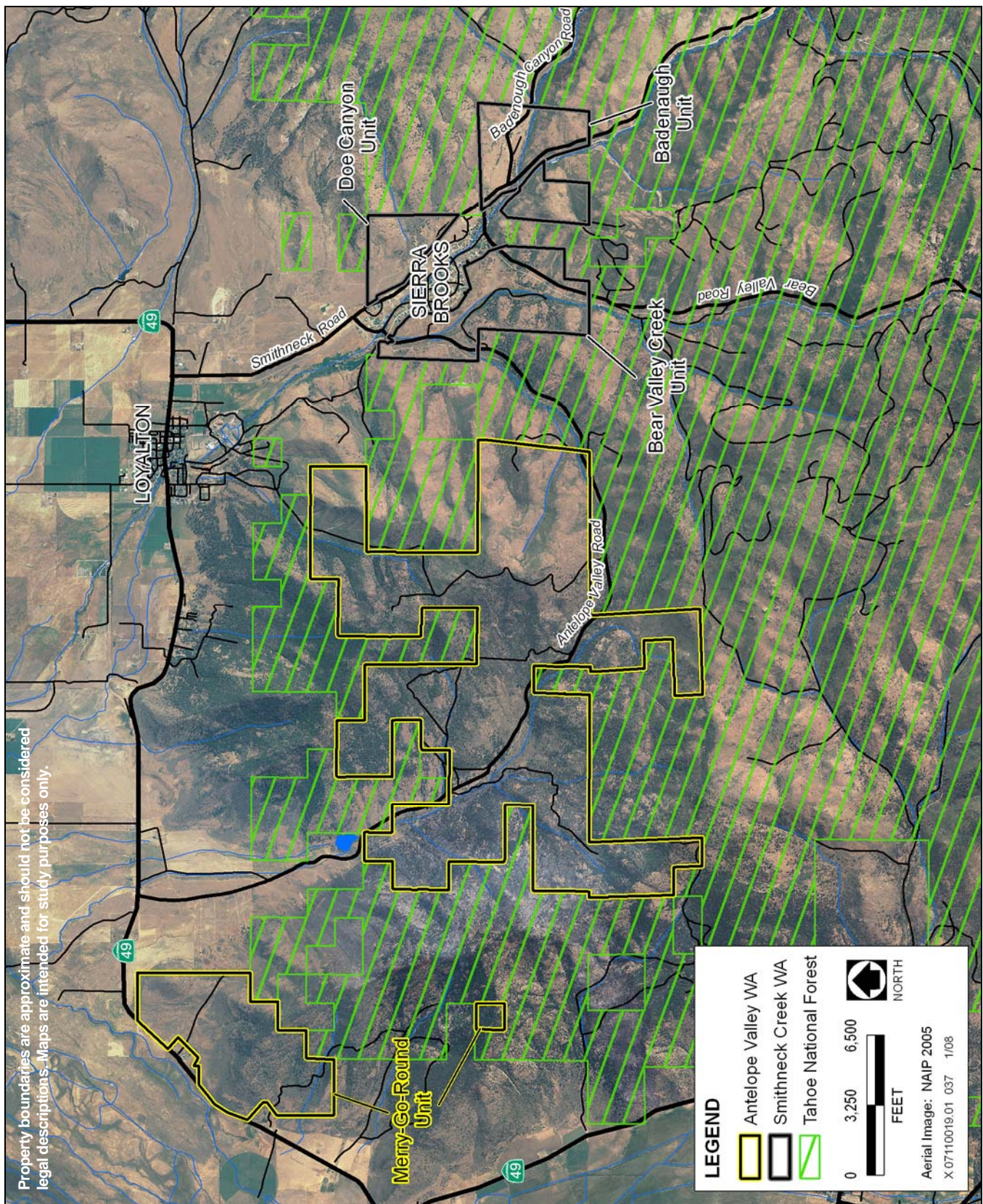
WATER EASEMENT AND AGREEMENT

Within the Merry-Go-Round Unit an easement is held by F. E. Humphrey, Jr., et al., dated January 19, 1940, for diverting, conducting, or storing water (recorded February 1, 1940, in Book 39, page 1 of Deeds, Sierra County Records).

An agreement respecting water facilities and service for The Sierra Brooks Subdivision by and between Sierra County Service Area Number 4, a County Service Area, and Occidental Petroleum Land and Development Corporation for portions of SCWA was recorded May 10, 1971, in Book 53, page 17, Official Records. This agreement description may be a reference to an agreement regarding the well and pump house located in the Bear Valley Creek Unit.

THE SIERRA VALLEY TELEGRAPH COMPANY EASEMENT

The Sierra Valley Telegraph Company holds an easement through the Merry-Go-Round Unit for a telegraph line running from Sierraville in Sierra County to Beckwourth in Plumas County (recorded December 22, 1891, in Book 6, page 20 of Deeds).



Source: DFG 2007, USFS 2006, CASIL Layers 2006

Property Boundaries of Antelope Valley and Smithneck Creek Wildlife Areas

Exhibit 2-2

EASEMENT FOR PLUMAS-SIERRA RURAL ELECTRIC COOPERATIVE

Plumas-Sierra Rural Electric Cooperative holds an easement for an electric transmission, or distribution line, or system within the Merry-Go-Round Unit (recorded February 1, 1939, in Book 37, page 222, of Deeds).

UNITED STATES OF AMERICA EASEMENT

The United States of America holds an easement for a portion of the Merry-Go-Round Unit for the construction, maintenance, and full, free, and quiet use and enjoyment of a road for the purposes of hauling forest products for fire protection and for general forest administration (recorded July 6, 1956, in Book 14, Page 197, Official Records for Parcel Number 2). A Correction Deed dated May 16, 1980 (recorded December 7, 1980 in Book 89, Page 467, Official Records) deleted a portion of the original easement and added a portion of the west half of the northwest quarter and a portion of the north half of the southwest quarter of Section 19, Township 21 North, Range 15 East M.D.M. The United States of America also holds a road easement for a portion of SCWA along the existing Bear Valley Road across the west half of Section 32, Township 21 North, Range 16 East (recorded April 16, 1959, in Book 22, page 99, Official Records).

THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY

The Pacific Telephone and Telegraph Company holds an easement for communication facilities in the easterly portions of Sections 13 and 24, Township 21 North, Range 14 East of the Merry-Go-Round Unit (recorded November 2, 1976, in Book 70, page 620, Official Records).

SIERRA PACIFIC POWER COMPANY

Sierra Pacific Power Company holds an easement for an electric power line within SCWA (recorded October 16, 1970, in Book 51, page 659, Official Records).

ROADWAY AND UTILITY EASEMENT

Two roadway and utility easements exist within the main Antelope Valley unit. The exact location and extent of one of the easements is not disclosed (recorded October 9, 1997, in Book 130, page 4526, Official Records). The second road and utility easement for logging is for a strip of land 30 feet wide over a portion in the northeast quarter of the southwest quarter of Section 28, Township 21 North, Range 15 East, Mount Diablo Baseline and Meridian (recorded February 13, 1998, in Book 131, page 358, Official Records).

INGRESS/EGRESS

An easement for road purposes for ingress and egress exists on the main Antelope Valley unit. It is 30 feet wide and allows access to the grantor's remaining property. The center line is described as follows:

Beginning on the northerly side of County Road No. 885 as said road crosses through a portion of the South half of the Southwest quarter of Section 35, Township 21 North, Range 15 East; thence in a Northeasterly direction across said Section 35, a distance of approximately one mile, to the Northerly line of said Section 35 and the terminus thereof, as the above described road presently exists.

2.4 EXISTING INFRASTRUCTURE

2.4.1 ROADS

County Road 855 (Antelope Valley Road) crosses through the main Antelope Valley unit at the area's northwest corner to the southeast corner and the Bear Valley Creek Unit of SCWA. Access into the main Antelope Valley unit is unrestricted on County Road 855 (Department 1997).

Four county roads bisect SCWA. County Road S860 (Smithneck Road) is a paved county road that provides primary access to the area and the Sierra Brooks subdivision. County Road 855 (Antelope Valley Road), Bear Valley Road, and Badenaugh Canyon Road are dirt county roads that provide access to the separate units (Department 1990).

Sierra County operates and maintains these roads, along with the associated culverts.

2.4.2 FENCING

Within the main Antelope Valley unit, a 20-acre riparian corridor along Antelope Valley Creek is fenced and protected from livestock use for the purpose of protecting riparian habitat. At the time of fencing, this area contained potential habitat for the willow flycatcher, which is state listed as threatened (Department 1997).

SCWA shares a majority of its external boundary with the Tahoe National Forest. Most of this property line is fenced. The northern boundary of SCWA that is shared with Occidental Land, Incorporated, is also largely fenced (Department 1990).

2.4.3 WELL

Sierra County Service Area Number 4, a County Service Area, owns a well located adjacent to Smithneck Creek in SCWA. The well provides municipal water to the Sierra Brooks subdivision. Obtaining further details regarding wells on the wildlife areas has been identified as a "step-down action."

2.5 PLANNING INFLUENCES AND CONSIDERATIONS

Planning for AVWA and SCWA encompasses issues that cross regional, local, and wildlife area boundaries. This section identifies the federal, state, county, and local planning influences that affect the management and planning of AVWA and SCWA.

The following entities, and land use, ecosystem restoration, and resource management plans were considered in the development of this LMP and influenced its content:

- ▶ City of Loyalton
- ▶ Sierra Brooks Homeowners Association
- ▶ Tahoe National Forest
- ▶ Sierra Valley Resource Conservation District
- ▶ Feather River Coordinated Resources Management
- ▶ 1996 Sierra County General Plan

- ▶ Smithneck Creek Watershed Coordinated Resource Management Plan
- ▶ Antelope Valley Coordinated Resource Plan
- ▶ Sierra Valley Coordinated Resource Management Plan
- ▶ Sierra Valley Watershed Assessment
- ▶ The Water Quality Control Plan (Basin Plan) for the California Regional Water Quality Control Board Central Valley Region: The Sacramento River Basin and the San Joaquin River Basin

2.5.1 SIERRA COUNTY GENERAL PLAN

State agencies are exempt (as established by *Hall vs. City of Taft* [1952] 47 Cal.2d177) from complying with local or county plans, policies, or zoning regulations. Nevertheless, the Department considers all local plans in its management decisions. State agencies also must comply with state laws and regulations, including CEQA and, in so doing, minimize environmental effects such as conflicts with local plans and policies intended to protect the environment. For these reasons, the Department takes into account local land use policies and regulations when making land use planning decisions.

The 1996 *Sierra County General Plan* was considered in the development of this LMP. The current general plan was adopted in 1996 (Sierra County 1996). The general plan's land use diagram shows that the Doe Canyon, Badenaugh, and Bear Valley Units are designated as Open Space and the main Antelope Valley unit is designated as Forest and Open Space. AVWA acquisitions #2–5 occurred outside of the time frame of the general plan and therefore are not included. This LMP is consistent with the 1996 *Sierra County General Plan* land use designations.

The Plants and Wildlife Element in the general plan identifies SCWA and the main Antelope Valley unit as sensitive areas. Areas within and around the wildlife areas are identified as special treatment areas (STA) and include critical deer summer range, critical deer winter range, and deer migration corridors.

The general plan contains the following policies and recommendations, which may be applicable to AVWA and SCWA:

- ▶ **Plants and Wildlife Element Policy 8:** Protect, and whenever possible enhance, threatened, endangered, and special plants and animals and their habitats, as defined by the California Department of Fish and Game, as well as migratory birds from proposed land uses.
- ▶ **Plants and Wildlife Element Policy 12:** Cooperate with State and federal agencies in managing recreation and prohibit new recreational developments which may significantly impact biotic resources.

This LMP is consistent with these policies and recommendations.

2.5.2 CITY OF LOYALTON

The City of Loyalton is the only incorporated city in Sierra County and, as such, is the governing agency within the Loyalton city limits. Because of Loyalton's proximity to the wildlife areas, the Department will coordinate with the City of Loyalton regarding implementation of portions of the LMP that are relevant to the City.

2.5.3 TAHOE NATIONAL FOREST

The Tahoe National Forest (TNF) straddles the crest of the Sierra Nevada in northern California and encompasses a vast territory from the foothills on the western slope to the peaks of the Sierra crest. The Tahoe National Forest is bordered by the Plumas National Forest to the north, the El Dorado National Forest to the south, the Humboldt-Toiyabe National Forest and Lake Tahoe Basin Management Unit to the east, and the Sacramento Valley to the west. The Tahoe National Forest Headquarters is located in Nevada City, California, with district offices in Foresthill, Camptonville, Sierraville, and Truckee.

Three grazing allotments include portions the wildlife areas: the Bear Valley, Smithneck, and Antelope grazing allotments. The Clover, Loyalton, and Hot Springs allotments included portions of the wildlife areas in the past but the allotments have since been removed. The USFS allotment management plan (USFS 2002) for the three allotments were revised in 2002 to include changes in the number of livestock and season of use, range improvement projects, and resource protection measures.

Because TNF surrounds both wildlife areas, cooperation and coordination with the USFS is necessary for effective management of the wildlife areas. Staff of TNF have been generous and cooperative in lending expertise to assist with management of the wildlife areas. In addition, the Sierraville Ranger District is responsible for fire response in the wildlife areas.

2.5.4 WATER QUALITY CONTROL PLAN FOR THE SACRAMENTO AND SAN JOAQUIN RIVER BASINS

The preparation and adoption of water quality control plans (Basin Plans) is required by the California Water Code (Section 13240) and supported by the federal Clean Water Act. In California, these Basin Plans are prepared and adopted by regional water quality control boards. For the waters in a specified area, Basin Plans designate beneficial uses to be protected, water quality objectives to protect those uses, and a program for achieving those objectives.

The wildlife areas are covered by The Water Quality Control Plan for the California Regional Water Quality Control Board Central Valley Region: The Sacramento River Basin and the San Joaquin River (CVRWQCB 1998). Management and restoration actions in the wildlife areas contribute to attainment of water quality standards.

Potential effects on the Basin Plan's water quality objectives and associated implementation program were considered in the development of this LMP to ensure the LMP's consistency with the basin plan.

2.5.5 SIERRA VALLEY RESOURCE CONSERVATION DISTRICT

Resource conservation districts are "special districts" of the State of California, established by the Local Agency Formation Committee (LAFCO) rules. They are an organized mechanism for providing expertise, assistance, and information on natural resource conservation. The Sierra Valley Resource Conservation District (SVRCD) represents landowners at large and serves as a point of contact for watershed concerns and information. The SVRCD plays an active role in the management of the wildlife areas by holding a land lease agreement over the Department's property at AVWA and SCWA, which allows funds generated by the wildlife areas (e.g., through grazing allotments) to be reinvested in the management of the wildlife areas. In addition, SVRCD often leads efforts for cooperative management of natural resources in the Sierra Valley, especially resources such as water supply and quality.

2.5.6 FEATHER RIVER COORDINATED RESOURCE MANAGEMENT GROUP

The Feather River Coordinated Resource Management (FRCRM) Group is a partnership of 23 public and private sector groups who formed in 1985 to collectively improve watershed health in the upper Feather River watershed. Watershed projects include studies and assessments, stream restoration, monitoring, resource management plans, community outreach, and educational activities. The FRCRM plays an important role in the monitoring and restoration of the Feather River watershed, where the wildlife areas are located. The Department is an active partner of the FRCRM. Terry Benoit, FRCRM Project Manager, is aiding in the development of restoration projects within the wildlife areas.

2.5.7 SIERRA BROOKS HOMEOWNERS ASSOCIATION

Coordination with the Sierra Brooks Homeowners Association is included in the management goals of this LMP. SCWA surrounds the Sierra Brooks subdivision and shares a border with property owned by the Sierra Brooks Homeowners Association.

2.5.8 SMITHNECK CREEK WATERSHED COORDINATED RESOURCE MANAGEMENT PLAN

The Smithneck Creek Watershed CRMP (Smithneck Creek CRMP 1995) was formed to restore and rehabilitate the Smithneck Creek watershed and to reduce the threat of flooding. The CRMP is signed by the Department, USFS Tahoe National Forest, the Natural Resources Conservation Service (NRCS), Sierra County, the Sierra County Economic Council, High Sierra Resource Conservation and Development, the City of Loyalton, the Sierra Brooks Property Owners Association, the Sierra-Plumas Joint Unified School District, the Department of Water Resources (DWR), Sierra Pacific Industries, the California Department of Forestry and Fire Protection, the California Department of Transportation, the Sierra Valley Resource Conservation District, and private landowners. The total plan area encompasses approximately 37,300 acres.

Goals of the Smithneck Creek Watershed CRMP include:

- ▶ Provide for rehabilitation, protection, and improvement of the natural resources in the Smithneck Creek Watershed.
- ▶ Protect the infrastructures of the City of Loyalton and Sierra Brooks subdivision.
- ▶ Encourage opportunities for local employment.
- ▶ Encourage opportunities for watershed and natural resource education.
- ▶ Optimize the beneficial uses of the waters of the Smithneck Creek Watershed. These beneficial uses are: domestic, municipal, agricultural, and industrial supply; power generation; recreation; aesthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources.

The Smithneck Creek Watershed CRMP was approved in June 1995 and encompasses SCWA. The LMP is consistent with this CRMP. However, it appears that this CRMP is not in active use.

2.5.9 ANTELOPE VALLEY COORDINATED RESOURCE PLAN

The *Antelope Valley Coordinated Resource Plan* (Antelope Valley CRP 1986) was initiated in January 1985. The purpose of the plan is to unite resource management agencies and private landowners in a common effort to solve resource management problems in the Antelope Valley area of Sierra County. The plan area encompasses

approximately 21,000 acres of land owned by USFS, the Bureau of Land Management (BLM), the Department, and private landowners.

The management goals within the Antelope Valley Coordinated Resource Plan are:

- ▶ Maximize and improve deer habitat.
- ▶ Achieve deer herd size and composition as specified in the Loyalton-Truckee deer herd plan.
- ▶ Coordinate grazing with private landowners to complement wildlife habitat improvement.
- ▶ Manage the timber resource to improve range and wildlife habitat and to reduce fire hazard, and improve the health of the stand.
- ▶ Provide technical assistance and expertise to private landowners.
- ▶ Develop and implement a public access plan which protects the resources of the area.
- ▶ Improve and rehabilitate riparian areas in Antelope Valley for watershed protection and wildlife habitat diversity.

This LMP is consistent with these management goals; however, it appears that this CRP is not in active use at the time of preparing the LMP.

2.5.10 SIERRA VALLEY COORDINATED RESOURCE MANAGEMENT PLAN

The *Sierra Valley Coordinated Resource Management Plan* (NRCS 2002) is intended to serve as a framework to develop a watershed management strategy and establish guidelines for joint and cooperative planning and implementation processes. The plan's focus is on noxious weed management, agricultural and economic sustainability, agricultural representation, flood control, water retention (timing), watershed restoration, erosion and sedimentation control, water quality, and fuels management.

The goals of the Sierra Valley Coordinated Resource Management Plan are:

- ▶ Initiate the collaborative effort to balance the competing and changing interests of current and future users, the protection of Sierra Valley's environments while sustaining the agricultural sector, the expanding development, and the agencies that are in service to the communities and residents.
- ▶ Evaluate and understand current and historical watershed conditions.
- ▶ Protect and restore the watershed ecosystem to enhance the viability of human uses in harmony with all species that utilize the watershed.
- ▶ Promote the education of all individuals, organizations and agencies with the most current information on the function and the management of the watershed.
- ▶ Gain flexibility in hydrologic operations to protect public property, private property and natural resources from flood or high water levels or from drought situations.

This LMP is consistent with these management goals; however, the signatories of this plan have not met since its inception.

2.5.11 SIERRA VALLEY WATERSHED ASSESSMENT

The mission of the Sierra Valley Watershed Assessment (SVRCD 2005) was to gather and integrate existing information on the physical, cultural, and demographic variables that characterize the Sierra Valley watershed at the present and in the past. The project is an existing conditions report that can be used by residents and stakeholders in future projects within the Sierra Valley. The project was funded through a grant from the State Water Resources Control Board through the CALFED Watershed Management Program. The Sierra Valley Watershed Technical Advisory Committee (TAC) is made up of SVRCD staff and specialists from cooperating agencies. The Sierra Valley watershed encompasses approximately 297,657 acres and includes the wildlife areas. This assessment is a useful resource for data relevant to the management of the wildlife areas.